

Application No.: 10/501,686  
Amendment dated: July 27, 2009  
Reply to Office Action of April 27, 2009  
Attorney Docket No.: 21295.87 (E0614US)

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REMARKS/ARGUMENTS

Claims 1-11 are pending in this application.

Claims 1-11 have been amended as indicated hereinabove.

Claims 12-17 have been canceled without prejudice or disclaimer.

Claims 1-11 had been rejected under 35 U.S.C. § 112, second paragraph.

Applicant believes that the Claims as amended are now in compliance with 35 U.S.C. § 112, second paragraph.

Claims 1 and 2 had been rejected under 35 U.S.C. § 103(a) over Cordova et al. (U.S. Patent No. 4,318,137) in view of Fourkas et al. (U.S. Pub. No. 2006/0057497). Claims 3-11 had been rejected under 35 U.S.C. § 103(a) over Cordova in view of Fourkas and further in view of Scott et al. (U.S. Patent No. 5,469,398). These rejections are respectfully traversed for the following reasons.

Claims 1-11, as amended, comprise a computer system processing selected data blocks before other data blocks, the selection being a function of a frame burst ratio.

This claim element is supported by the Specification describing that after the selected data blocks are processed, "the rest of the data blocks are retrieved from the storage unit in the computer system and are transmitted for processing and/or display of the other data blocks" (paragraph [0023]) or "the rest of the data blocks that have not yet been transmitted to the computer system are sent directly from the fast scanner to the computer system . . . processing . . . of the rest of the data blocks . . . then occurs in the computer system" (paragraph [0027]).

Neither Cordova, nor Fourkas, nor Scott describes such out-of-order processing of data blocks. Cordova describes a computer functioning as a data buffer between an infrared camera and a digital magnetic tape recorder to achieve uniformity of data flow to the recorder. Fourkas describes a scanning microscope with a fast scanner that acquires

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data (see pending Office Action, page 3). Scott describes "first-in, first-out (FIFO) data storage in computer systems" (see Abstract).

A computer system processing of selected data blocks before other data blocks, the selection being a function of a frame burst ratio, is not taught or suggested in Cordova, Fourkas, Scott, or their combination. Therefore, Claims 1-11 are patentable and non-obvious over Cordova, Fourkas, and Scott under 35 U.S.C. § 103(a) and should be allowed.

It is believed that the present application is in condition for allowance. A Notice of Allowance is respectfully solicited in this case. Should any questions arise, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

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